

17157 U.S. PTO
040204

PTO/SB/05 (01-04)

Approved for use through 07/31/2006. OMB 0651-0032

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	85689.17
First Inventor	Paul A. Vaughan
Title	Vertebral Stabilization Assembly and Method
Express Mail Label No.	EV 316158680 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 98]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 12]
5. Oath or Declaration [Total Sheets]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37.CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 10/109,172

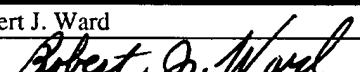
Prior application information:

Examiner Ralph A. LewisArt Unit: 3732

For CONTINUATION OR DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: 24347 OR ☐ Correspondence address below

Name	Robert J. Ward				
Address	Hunton & Williams LLP Energy Plaza, 30th Floor, 1601 Bryan Street				
City	Dallas	State	Texas	Zip Code	75201
Country	USA	Telephone	214.979.3027	Fax	214.880.0011
Name (Print/Type)	Robert J. Ward		Registration No. (Attorney/Agent)	38,652	
Signature			Date	04/02/04	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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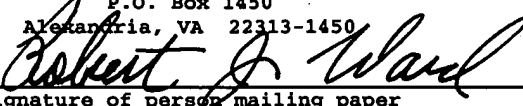
040204

ATTORNEY DOCKET NO. 85689.17
Customer No. 24347

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TRANSMITTAL OF
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail Certificate Under 37 C.F.R. § 1.10	
"EXPRESS MAIL" MAILING LABEL NUMBER: EV 316158680 US	
DATE OF DEPOSIT:	April 2, 2004
I, Robert J. Ward, hereby certify that this paper (along with any papers and fees referred to as being attached or enclosed or actually enclosed) is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above, with sufficient postage, and is addressed as follows:	
Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
	
Signature of person mailing paper	

In re Application of: Paul A. Vaughan

Serial No.: Not Assigned
Prior Serial No.: 10/109,172

Filing Date: April 2, 2004
Prior Filing Date: March 28, 2002

Group Art Unit: Not Assigned
Prior Group Art Unit: 3732

Examiner: Not Assigned
Prior Examiner: Ralph A. Lewis

For: **Vertebral Stabilization Assembly
and Method**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF CONTINUATION-IN-PART PATENT APPLICATION
UNDER 37 C.F.R. 1.53(b) AND FEE CALCULATION SHEET**

Sir:

Transmitted herewith for filing is the continuation-in-part patent application of:

ATTORNEY DOCKET NO. 85689.17
Customer No. 24347

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TRANSMITTAL OF
PATENT APPLICATION

Inventors: Paul A. Vaughan

For: **Vertebral Stabilization Assembly and
Method**

Enclosed are:

- a postcard acknowledgment of receipt of papers by the Patent Office;
- Utility Patent Application Transmittal, Form PTO/SB/05;
- a specification of 98 pages (including disclosure, Claims 1-14 and an abstract of the disclosure);
- One set of formal drawings, consisting of 12 sheets of drawings (Figures 1-2, 3, 3A, 3B, 4-29); and
- Continuation-in-Part Application Remarks.

Please return the acknowledgment postcard.

The filing fee has been calculated as shown below:

SMALL ENTITY

FOR	NO. FILED	NO. EXTRA	RATE	FEE
BASIC FEE			\$ 385.00	\$ 385.00
TOTAL CLAIMS	14 - 20	0	\$ 9.00	\$ 0.00
INDEP. CLAIMS	2 - 3	0	\$ 43.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS = 0			\$ 145.00	\$ 0.00
			TOTAL	\$385.00

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Customer No. 24347

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TRANSMITTAL OF
PATENT APPLICATION

The Commissioner is authorized to debit \$385.00 for the filing fee for the continuation-in-part patent application for a small entity from Deposit Account No. 23-3189 of Hunton & Williams LLP (Dallas) and reference Attorney Docket No. 85689.17. No additional fees are believed to be required in connection with these filings. To the extent that any further fees, whatsoever, are required at any time during prosecution of this application, including petition and extension fees, the Commissioner is hereby authorized to charge payment of any additional fees, including any under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to the above-referenced Deposit Account. Please credit any overpayments to this same Deposit Account.

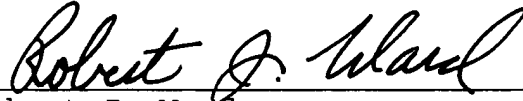
ATTORNEY DOCKET NO. 85689.17
Customer No. 24347

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TRANSMITTAL OF
PATENT APPLICATION

**Please direct all correspondence to the practitioner listed
below at Customer No. 24347.**

Respectfully submitted,



Robert J. Ward
Registration No. 38,652

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ATTORNEY FOR APPLICANT

April 2, 2004